B & Inv

App. F. IX-4

192 .7-27
Land

File No. 67-27

Serial Nos. 1—6

Previous References

Land 5 of 27

Later References

Land Dep 30-32
Land Dep 94-24

General and Revenue Secretariat.

Serial Nos.

Part B for January 1929

SUBJECT

O.S. 20 of 27. re. Dir Land, Bdr Volone
Venkata Rao. K & Govt
G. Venkata Rao
K Ramakandaiah

B.7 Ry Cn/Jan
15/1/29

5748 of 28 6769

App. F. III—2]

General and Revenue Secretariat. — File No. 63 of 1927.

Serial No

From the Dist. Judge
Bangalore Division.
No. XX 1688 dt 22.5.28
forwards summons in duplicate
in Original Suit No 20/27-28 filed by
Venkoji Rao of Nerlakatti, Kankanhalli
Tk, re Sno 108 of the said village

Suited The connected references in
the matter are in the Protect. Br
The Law Secy has observed that
the threatened suit may well be defended.
This may now be sent to Protect
Br for further needful action.
Suited for orders

TVN
26/5/28

Prot. Br

26/5

This opinion is made in the file containing the notice of the present suit. This file is in Protect Br

Received on 26/5/28 at 11.35 A.M.
26/5 M. Ganpathi Rao 26/5

This is a suit filed by the plaintiff for a permanent injunction restraining the defendants from interfering with plaintiff's possession - the plaintiff alleges to be a purchaser of the lands under a public auction held after he gave a Dharkast. This sale was however cancelled by the D.C. which was finally approved by the Govt - the lands were afterwards sold to 2nd deft to whom the Govt have ordered possn to be handed over - notice under sec 80 C.P. was served & it was there ordered that the threatened suit maybe well defended.

The P.P. Bangalore may perhaps

NOTE—Contn. sheet.

C74 574

General and Revenue Secretariat. | File No. of 192

Serial No.

be asked to appear for the Govt and take some time for filing defence

Submitted
MNJ
28/5/28
Secy
28/5
Yes
29-5
Draft.

Draft letter Above is herewith submitted for approval.
The duplicate of the Summons sent by the District Court has to be returned to that Court after being signed by the Chief Secretary.

MNJ
31/5/28
Issue at once from Court.
46

To the Pubc. Prosecutor
Bangalore

No Camp P 4 Dy 2nd June 1928

Requests to appear for Govt and apply for time for filing the defence Stated. The signature of the Chief Secy has to be obtained to the Summons.

Summons issued for signed by the Chief Secy.

5/6
Issue with a Draft
5/6
Issue at once
5/6

NOTE—Contn. sheet.

WD 0324—GPB—60,000—24-5-27

5854

App. F. III—2] 3

General and Revenue Secretariat. Cart File No. 67 of 1927.

Serial No.	
3.	Letter No 303/27-28 dated 1-6-28 from P.Pr, Bangalore. informing that the case is posted to 22-6-28 for W.S. & requesting the record to be sent with the concerned dasti
	Secy's order comply sd B.N 9.6.
	'This is a case arising out of revenue sale - The D.C of Bangalore maybe asked to give instructions to P. Pr. sd B.N. 12/6.
	Drafts of letters to D.C & P Pr submitted DOY 12/6/28
	Issued 13/6
	Signed - HM 13/6/28
4	To the Dy Comr Bore DOP 7248 dt 15-6-28 States that the P Pr has been asked to appear in the case & requests him to give him all necessary help
5	To the P Pr Bore DOP 7249 dt 15-6-28 States that the DC has been requested to give all necessary help & prepare the written statement & request to send the same early for approval

NOTE—Contn. sheet

25/6/28

WD 0324—GPB—60,000—24-5-27

Civil

Form No. 105.

XX 1688

Bangalore

Dated 22 · 5 · 1928

Rev 26/5/28 Law 63-27 D6769

192 R 26/5/28

From The District judge,
Bangalore Division,
Bangalore.

Law 67-27-1 1

To

Sir,

The Chief Secretary to The Government of Mysore, Bangalore

XX Revd proth 25-5-28

I have the honor to forward herewith defendant-Summons, in duplicate in original Suit — No. 20 of 1927. in the file of this Court, and to request, that you will be so good as to cause the duplicate to be served on the individual therein named, and the orginal r turned to this Court with due endorsement of service thereon on or before the date of hearing. i e 4th June 1928.

~~A sum of Rs~~ ~~is herewith sent, being~~

~~witness batta~~

I have the honor to be.

Sir,

Your most obedient servant

Asst to District judge

WD 0543—GPB—8,900—17-7-26

Summons for disposal of suit (O. 5, rr. 1. 5,) Form No. 1, Civil.

HF 4.1 28

IN THE COURT OF the District Judge AT Bangalore Division.

original SUIT NO. 20 OF 1927-1928.

Venkoji Rao, son of Mannajirao, residing at Nerlahotti, Konkan-olli Taluk. } 1) The Chief Secretary to the Government of Mysore — Bangalore —

Plaintiff vs. Defendant.

To the 1st Defendant

WHEREAS the Plaintiff has instituted a suit against you for permanent injunction costs etc as per plaint you are hereby summoned to appear in this Court in person or by a pleader duly instructed, and able to answer all matersal, questions relating to the suit, or who shall be accompanied by some person able to answer all such questions, on the 4th day of June 1928, at 11 o'clock in the fore — noon, to answer the claim; and as the day fixed for your appearance is appointed for the final disposal of the suit, you must be prepared to produce on that day all the witnesses upon whose evidence and all the documents upon which you intend to rely in support of your defence.

Take notice that, in default of your appearance on the day beforementioned, the suit will be heard and determined in your absence.

Given under my hand and the seal of the Court, this 22nd day of May 1928.

By order —

Judge.

Sheristedar —

Notice.-- 1. Should you apprehend your witnesses will not attend of their own accord, you can have a summons from this Court to compel the attendance of any witness and the production of any document that you have a right to call upon the witness to produce, on applying to the Court and on depositing the necessary expenses.

2. If you admit the claim, you should pay the money into Court together with the costs of the suit, to avoid execution of the decree, which may be against your person or property or both.

WD 0282--GPB--14,555--25-6-27

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. C. 4 Law Dated, Bangalo 2nd June 1928

Camp Mysore

hram 67-27-2 3

From

B. NAGAPPA, Esq., Bar-at-Law.
Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To

The Public Prosecutor,
Bangalore.

Sir,

I am directed to request you to appear for the Government (1st Defendant) in O.S. 20 of 27-28 in the Court of the District Judge Bangalore and apply for ~~a month's~~ time for filing the defence. The case is posted to 4th June 1928.

The copy of the plaint ~~sent~~ received with the summons is herewith sent for your information.

I have the honor to be,
Sir,
Your most obedient servant,

Draft

For Legal Remembrancer and
Secretary to Government Law Dept

Bm

c.n.

aside the sale in his favor is highly illegal and ultraviros and is therefore liable to be set aside.

7. That the plaintiff has served the first defendant with notice according to law. The first defendant has not chosen to reply to the notice at all. On the other hand the plaintiff understands that on the application of the second defendant he has issued orders to the /nildar to evict the plaintiff and put the second defendant in possession of the land forthwith. Hence this Suit.

8. That inasmuch as the plaintiff is in possession of the plaint schedule land and in asmuh as the defendants are attempting to dispossess the plaintiff, he has filed this Suit for permanent injunction restraining the defendants from interfering with his possession nd enjoyment of the land.

9. That the cause of action arose on the 28th September 1926, i-e., from the date of the order of the Government within the jurisdiction of this Court.

10. That inasmuch as the plaintiff has sued only for permanent injunction he has paid

paid a Court fee on half the market value of the land which is Rs. 5--7--0.

11. The plaintiff prays for a decree against the defendants for

(1) permanent injunction restraining the defendants from interfering with his possession and enjoyment of the schedule land.

(2) Costs of this Suit and such other reliefs as this Court may deem fit to grant in the circumstances of this case.

The plaintiff above-named declares that what is stated above is true.

The Schedule.

[illegible] land situate at Herlahatti Village, [illegible]alli Taluk measuring 5 acres and assessed to a land revenue of Rs. 2-7-6 and is bounded as follows:-

East by halla, West by halla, North by forest demarcation line and south by Sambhoji Rao's land.

IN THE COURT OF THE DISTRICT JUDGE OF BANGALORE.

-----:0:-----

O.S. No. 20 of 1927-28.

Plaintiff:-

Venkoji Rao, son of Mannaji Rao, age about 28, Caste - Mahratta, Occupation - agriculture, Residence - Nerlahatti, Kankanhalli Taluk.

Defendants:-

(1) The Chief Secretary to Government.

(2) Hare Gowda son of Lere Gowda, age about 35, Caste - Vokkaligar, Occupation - agriculture, Residence - Hunasanahalli, Santekodihalli Hobli, Kankanhalli Taluk.

Under Order VII, Rule 1, Civil Procedure Code, the plaintiff above-named begs to state as follows:-

(1) That the address of the plaintiff for service of processes of the Court is as stated above.

(2) That the plaintiff presented a darkhast for the plaint schedule which was originally a gomal land. The land was sold by public auction and the plaintiff purchased it for Rs. 50-8-0. The sale amount was duly deposited. The sale was confirmed by the Sub Division Officer. Closepet Sub Division. A separate saguvali chit was granted to the plaintiff on the 25th

A. P. F. VI. G[illegible]

SUBJECT.....

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Section

File No.

Serial No.

No. C 9 Gen 1

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

To The Dr Judge
Bangalore

Sir,

Date of issue 5/6/28

I am directed to return herewith ~~the plaint copy~~ original the summons in OS No 20 of 27-28 ~~duly served on the chief~~ on the pl of your Court ~~Bench to Court, received~~ forwards with your letter No XX/1688 Dy 22.5.1928

I have etc

Signed by Asst N.S.

with due endorsement of service thereon

By
for Law Secy to Govt

List of enclosures.....

Copied by .....

Examined by .....

over

WD0325—GPB—30,000—26-5-27

A. P. F. VI. G1J

SUBJECT.....

.....

.....

Section Law

File No. 67-27

Serial No. 4

No. P 7248
Law

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

To The Deputy Commissioner
Bangalore

Date of issue 15/6/28

Signed by

Sir,

In connection with a revenue sale on Darkhast of Survey no 108 situate in Nerlahalli village, Kanakanahalli ~~village~~ Taluk, a Suit ~~No~~ O.S. 20 of 27-28 has been filed against the Chief Secretary as 1st defendant by one Venkoji Rao, the Public Prosecutor Bangalore has been ~~requested~~ asked in the case to appear on behalf of Government. I write to request you to give him the necessary instructions. The case is posted to 22nd instant for filing written statement.

List of enclosures.....

Copied by

Examined by

over

Yours etc

for Legal Remembrancer

WD 0325—GPD—30,000—26-5-27

No. 164/28-9 Immediate Bangalore
From and file 1314 of 28 20-9-1928
The public prosecutor
Bangalore
Law 67-PP-6

To

The Legal Remembrancer,
and Secretary to Government.
Law Department
Bangalore

Sir,

Re: OS. No. 20/27-28. plaintiff Venkojirao

I have the honor to send herewith the draft written statement in the above case for your approval and signature of the Chief Secretary. The case is posted to 24th instant for filing written statements in the Court and I request you to send the written statement signed by the Chief Secretary within 24th instant

I have the honorable,
Sir,
your most obedient Servant,

B. N. Rau

public prosecutor,
Bangalore